

DT02 Rec'd PTO

8 FEB 2005

PCT  
#3

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on the date shown below:

INFORMATION DISCLOSURE STATEMENT  
Patent Application  
Docket No. GJE-7477  
Serial No. 10/517,882

February 15, 2005

David Saliwanchik

David R. Saliwanchik, Patent Attorney

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : *Not yet assigned*  
Art Unit : *Not yet assigned*  
Applicant(s) : Michael Harvey Lyne  
Serial No. : 10/517,882  
Filed : December 13, 2004  
Conf. No. : *Not yet assigned*  
For : Formulation of Nefopam and its use in the Treatment of Pain

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§1.56, 1.97, AND 1.98

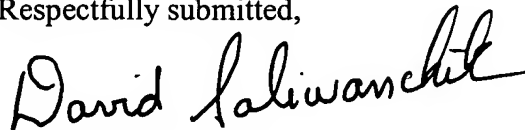
Sir:

The above-identified patent application was filed in the U.S. Patent Office as a national stage application under 35 USC §371. A copy of the international search report and copies of the references cited therein have been made available in the national stage file. However, for the Examiner's convenience, the applicant is attaching herewith a copy of the first page of the cited

foreign patent documents, a full text copy of the literature reference, and the International Search Report. A form PTO/SB/08 listing the references is also attached. In accordance with 37 CFR §1.56, the applicant hereby requests that the references cited in the international search report and listed on the attached form PTO/SB/08 be made of record and considered in the examination of the subject application.

The Applicants respectfully assert that the substantive provisions of 37 CFR §§1.97 and 1.98 are met by the foregoing statement.

Respectfully submitted,



David R. Saliwanchik

Patent Attorney

Registration No. 31,794

Phone No.: 352-375-8100

Fax No.: 352-372-5800

Address: Saliwanchik, Lloyd & Saliwanchik  
A Professional Association  
P.O. Box 142950  
Gainesville, FL 32614-2950

DRS/la

Attachments: Form PTO/SB/08;  
Copies of references listed on Form PTO/SB/08; and  
International Search Report/WO



Please type a plus sign (+) inside this box → ☐

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

|   |  |  |  |                          |                     |
|---|--|--|--|--------------------------|---------------------|
| <b>Substitute for form 1449A/PTO</b><br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(use as many sheets as necessary)<br><br>Sheet 1 of 1 |  |  |  | <b>Complete if Known</b> |                     |
|   |  |  |  | Application Number       | 10/517,882          |
|   |  |  |  | Filing Date              | December 13, 2004   |
|   |  |  |  | First Named Inventor     | Michael Harvey Lyne |
|   |  |  |  | Group Art Unit           | Not yet assigned    |
|   |  |  |  | Examiner Name            | Not yet assigned    |
|   |  |  |  | Attorney Docket Number   | GJE-7477            |

| U.S. PATENT DOCUMENTS |                       |                      |                                      |   |  |   |
|-----------------------|-----------------------|----------------------|--------------------------------------|---|--|---|
| Examiner Initials*    | Cite No. <sup>1</sup> | U.S. Patent Document |                                      | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|                       |                       | Number               | Kind Code <sup>2</sup><br>(if known) |   |  |   |
|                       | U1                    |                      |                                      |   |  |   |
|                       | U2                    |                      |                                      |   |  |   |
|                       | U3                    |                      |                                      |   |  |   |
|                       | U4                    |                      |                                      |   |  |   |

| FOREIGN PATENT DOCUMENTS |                       |                         |                     |                                      |   |  |   |                |
|--------------------------|-----------------------|-------------------------|---------------------|--------------------------------------|---|--|---|----------------|
| Examiner Initials*       | Cite No. <sup>1</sup> | Foreign Patent Document |                     |                                      | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T <sup>6</sup> |
|                          |                       | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup><br>(if known) |   |  |   |                |
|                          | F1                    |                         | WO 00/06121         |                                      | Jago Research AG                                | 02-10-2000                                       |   |                |
|                          | F2                    |                         | WO 02/00195         |                                      | Epicept Corporation                             | 01-03-2002                                       |   |                |
|                          | F3                    |                         |                     |                                      |   |  |   |                |
|                          | F4                    |                         |                     |                                      |   |  |   |                |
|                          | F5                    |                         |                     |                                      |   |  |   |                |

| OTHER PRIOR ART—NON PATENT LITERATURE DOCUMENTS |                       |  |                |
|---|-----------------------|--|----------------|
| Examiner Initials*                              | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article, (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|   | R1                    | FASMER <i>et al.</i> , Antinociceptive Effects of (+)-, (+)- and (-)- Nefopam in Mice, <i>J. Pharm. Pharmacol.</i> (1987), vol. 39, pages 508-511.   |                |
|   | R2                    |  |                |

|                    |  |                 |  |
|--------------------|--|-----------------|--|
| Examiner Signature |  | Date Considered |  |
|--------------------|--|-----------------|--|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.